

REMARKS

This application claims priority on and is a continuation-in-part of co-pending U.S. Application Serial Nos. 09/690,911 and 09/691,302, filed October 17, 2000. Applicant hereby confirms and restates this claim for priority.

Claims 1-28 were in the application. In order to expedite prosecution, Applicant has decided to delete claims 6 and 18-28. Applicant also has amended the claims for purposes of clarity, correcting informalities and addressing the Section 112 matters noted by the Examiner. No new matter has been added.

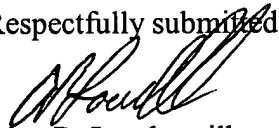
With respect to the rejections under Sections 102 and 103, Applicant respectfully traverses these rejections. The originally presented and amended claims patentably distinguish over the Gabriel reference.

The present invention is directed to an interactive music device/autocomposition music device, in which a processor executes autocomposition musical instructions, etc., in order to carry out an autocomposition of music process. With Applicant's invention, music is autocomposed, which is a distinct element of Applicant's invention that appears to be neither disclosed in, nor suggested by, the Gabriel reference. Applicant has reviewed the portions of Gabriel cited by the Examiner, and Applicant respectfully submits that such disclosure of Gabriel does not disclose or suggest such autocomposition musical instructions, autocomposition of music, access of a musical database for such purposes, etc.

Accordingly, Applicant submits that the claimed invention is patentably distinct over Gabriel and the other cited references.

Please contact Applicant's attorney if there are any questions regarding the foregoing.

Respectfully submitted,


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I hereby certify that the foregoing is being deposited with the U.S. Postal Service, postage prepaid, to the Commissioner of Patents and Trademarks, Washington, DC 20231, this 3rd day of JAN. 2003.

